

Appl. No. 09/935,885
Amendment and/or Response
Reply to Office action of 23 September 2005

Page 7 of 9

REMARKS / DISCUSSION OF ISSUES

Claims 22-41 are pending in the application. Claims 1-21 are cancelled, and claims 22-41 are newly added. No new matter is added.

In the interest of advancing prosecution in this case, the following comments are provided regarding the prior art cited in the Office action.

Claim 22, upon which claims 23-30 depend, claims a method of facilitating broadcast channel surfing, that includes, among other elements, creating lower-quality surfing signals from broadcast signals, and broadcasting the surfing signals substantially concurrent in time with a broadcast of the corresponding broadcast signals, to enable viewing of the surfing signals at a remote device at a time of surfing that is not substantially different from a time of broadcasting the corresponding broadcast signals from a broadcast channel.

Claim 31, upon which claims 32-38 depend, claims a server that facilitates broadcast channel surfing, that includes, among other elements, a processor that processes broadcast signals to form lower-quality surfing signals, and a transmission system that is configured to broadcast the surfing signals substantially concurrent in time with the corresponding broadcast signals, to enable viewing of the surfing signals at a remote device at a time of surfing that is not substantially different from a time of broadcasting the corresponding broadcast signals from a broadcast channel.

Hullinger et al. (USP 6, 295,092, hereinafter Hullinger) teaches a system for analyzing television programs that records broadcast signals of a broadcast program and characterizes the program. A user is provided the results of the characterization upon completion of the characterization, and may also access the recorded version of the program. The recorded version may be of lesser quality (reduced resolution, frame rate, etc.) than the original broadcast. Hullinger does not teach or suggest transmitting these reduced quality images concurrent in time with the broadcast of the broadcast signals.

Appl. No. 09/935,885
Amendment and/or Response
Reply to Office action of 23 September 2005

Page 8 of 9

Tracton et al. (USP 6,470,378, hereinafter Tracton) teaches a system that scales images so that they are compatible with the receiver to which the images are being sent. Tracton teaches that this scaling can be performed "on-the-fly" as the source images are received. However, Tracton does not teach or suggest a broadcast of these scaled images. As the term broadcast is used in the art, it is the distribution of information independent of any particular receiver; generally, the term broadcast is used to distinguish unsolicited transmissions from transmissions that are specifically targeted to a requesting user or set of users. Tracton does not transmit the scaled images until the characteristics of the particular receiver are known, and thus cannot be said to broadcast such images.

Saito (USP 6,751,221) teaches IP multicasting/broadcasting of image signals over the Internet. However, Saito teaches the use of an electronic program guide for channel selection, and does not teach or suggest broadcasting lower-quality images concurrent in time with the broadcast of the broadcast images.

Sciammarella (USP 6,281,940) teaches an electronic television guide that displays information corresponding to each of a plurality of broadcast channels, but does not teach or suggest broadcasting lower-quality images concurrent in time with the broadcast of the broadcast images.

Neither Nomura (USP 6,930,984) nor the referenced "Hot! New Stuff" article teaches or suggests broadcasting image signals.

Because the cited prior art does not teach all of the elements of independent claims 22 and 31, the applicants respectfully maintain that claims 22-38 are patentable over the prior art.

Claim 39, upon which claims 40-41 depend, claims a portable device that is configured to facilitate broadcast channel surfing, that includes a receiver that is configured to access a server via an Internet connection, the server having multiple associated Internet addresses, each address corresponding to an associated broadcast channel; and a browser that is configured to access each of a plurality of

Appl. No. 09/935,885
Amendment and/or Response
Reply to Office action of 23 September 2005

Page 9 of 9

the Internet addresses at a given rate, to provide thereby sequential images corresponding to each corresponding broadcast channel.

Saito teaches IP multicasting, but does not teach a browser that sequentially samples each IP address.

Sciammarella teaches the sequential presentation of information regarding broadcast channels, but Sciammarella specifically teaches that the information is presented on the same system that is used for viewing the broadcast channels. Sciammarella does not teach or suggest an Internet-enabled portable device that presents sequential images corresponding to each of a plurality of broadcast channels.

Neither Hullinger, nor Tracton, nor Nomura, nor "Hot! New Stuff teaches or suggests Internet-enabled portable devices.

Because the cited prior art fails to teach the elements of independent claim 39, the applicants respectfully maintain that claims 39-41 are patentable over the prior art.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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